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Hart et al.

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**CELLS** 

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#### Mail Stop Amendment

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

# SUPPLEMENTAL INFORMATION DISCLOSURE **STATEMENT UNDER 37 CFR §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56, Applicants submit this Supplemental Information Disclosure Statement pursuant to 37 CFR §§ 1.97 and 1.98 in the aboveidentified application for consideration by the Patent Office. This paper is filed pursuant to 37 CFR § 1.97(b)(3) before the mailing of a first Office Action on the merits. Accordingly, no fee is believed to be required.

#### Foreign Published Applications

DE 198 45 251, published March 9, 2000, Schüsener, H. J.:

WO 91/18010, published November 28, 1991, Fecondo et al.;

WO 98/44121, published October 8, 1998, Legrand et al.;

WO 98/54347, published December 3, 1998, Hart et al.;

WO 01/58940, published August 16, 2001, Roelvink et al.;

WO 02/057445, published July 25, 2002, Muruganandam et al.;

WO 02/057447, published July 25, 2002, Beach et al.;

WO 02/072616, published September 19, 2002, Hart et al.;

WO 03/004646, published January 16, 2003, Byrne et al.;

WO 03/008537, published January 30, 2003, Simard et al.; and

### Foreign Published Applications (Continued)

WO 03/094974, published November 20, 2003, Hurley et al.

#### **Non-Patent Literature Documents**

Office Action, dated January 20, 2010, issued in European patent application No. 04 736 220.7;

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# **REMARKS**

On January 28, 2010, the Examiner issued an Examiner-Initiated Interview Summary that included a request to file a new IDS that further includes the titles of the articles from the NPL documents that had been listed in the first IDS submitted by Applicants on December 13, 2006. In compliance with the Examiner's request, Applicants submit herewith a Supplemental IDS with the titles of the articles from all NPL documents listed therein.

Also submitted herewith is a communication pursuant to Article 94(3) EPC issued by the European Patent Office in the European counterpart of the present application as well as any references cited in the Communication which have not previously been provided to the United States Patent Office in the present application.

Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application, and also printed on any patent issuing from the above-identified application.

Respectfully submitted,

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# Certificate of Mailing

The undersigned hereby certifies that this correspondence and accompanying documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

February 23, 2010

Date

Meghan F. McFadden